

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MANUEL LAMPON-PAZ,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Civ. No. 16-9537 (KM)

OPINION & ORDER

KEVIN MCNULTY, U.S.D.J.:

Mr. Manuel Lampon-Paz brought this, his second action requesting that the court order “an immediate decision on my appeal” by the Social Security Administration regarding his disability claims. (Compl. 2). The Commissioner of Social Security sought to dismiss the claim, stating that this Court does not have jurisdiction because Mr. Lampon-Paz has not exhausted his administrative remedies and there has been no “final decision ... after a hearing” in this case as required by the Social Security Act, 42 U.S.C. § 405(g). Because two years had gone by without the scheduling of a hearing, I ordered the Administration to file a statement as to the status of the case.

Good thing I asked. It turned out that the proceedings had remained in limbo because the SSA did not have Mr. Lampon-Paz’s current address. (ECF nos. 14, 16) Apparently Mr. Lampon-Paz had not updated the address he gave originally; he states that he believed, based on conversations, that he would be contacted by email.

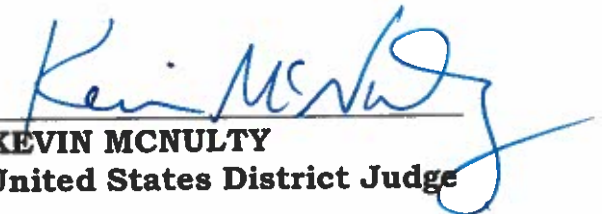
Mr. Lampon-Paz has now submitted a "Request to Suspend Proceedings." (ECF no. 19) He states that jurisdiction of his case has been transferred from California to New Jersey, where he now lives; that he has submitted additional medical evidence; and that a hearing appears to be pending. See Exhibits attached to Request. He asks that this district court case be suspended in contemplation of dismissal when his administrative hearing takes place.

Accordingly, IT IS this 16th day of February, 2016

ORDERED that the motion (ECF no. 19) is GRANTED, and that this action is ADMINISTRATIVELY TERMINATED without prejudice to reopening should the hearing fail to occur within a reasonable time.

As before, no opinion is expressed as to the merits of the application for benefits, as to which the SSA retains full authority and discretion.

The clerk shall close the file.


KEVIN MCNULTY
United States District Judge